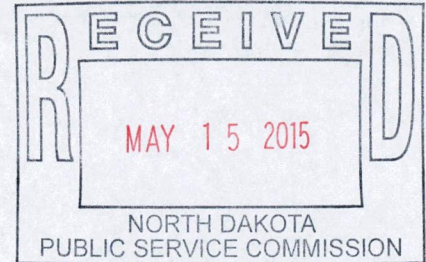


NORTH DAKOTA PUBLIC SERVICE COMMISSION

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In the Matter of the Application of Dakota )  
Access LLC for a Certificate of Site )  
Compatibility and Route Permit for the Dakota )  
Access Pipeline Project in Mountrail, )  
Williams, McKenzie, Dunn, Mercer, Morton )  
and Emmons Counties, North Dakota )  
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Case No. PU-I 4-842

**CERTIFICATE OF SERVICE**



I hereby certify that true and correct copies of the **PETITION TO INTERVENE OF RUSSELL J. KUNKEL and AFFIDAVIT OF RUSSELL J. KUNKEL** were on May 14, 2015, filed with the North Dakota Public Service Commission and mailed to the following:

Lawrence Bender  
Fredrickson & Byron, PA  
1133 College Drive, Suite 1000  
Bismarck, ND 58501

Dated this 14<sup>th</sup> day of May, 2015.

BAUMSTARK BRAATEN LAW PARTNERS  
Attorneys for Russell J. Kunkel  
109 North 4th Street, Suite 100  
Bismarck, ND 58501  
Phone: 701-221-2911  
Fax: 701-221-5842

/s/ Derrick Braaten  
By: Derrick Braaten





NORTH DAKOTA PUBLIC SERVICE COMMISSION

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Case No. PU-I 4-842

**PETITION TO INTERVENE OF  
RUSSELL KUNKEL**

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Pursuant to N.D.A.C. § 69-02-02-05, Russell Kunkel, by and through his attorneys Derrick Braaten and Matt Kelly (collectively, "Petitioners"), hereby petition to intervene in the above-captioned proceedings. In support of this petition, Petitioners state and allege as follows:

1. Mr. Kunkel resides at 4515 County Road 85, New Salem, ND 58563. He received documents from Dakota Access, LLC and offers for an easement over his land for the Dakota Access Pipeline Project, and has also received repeated requests for survey permission on his property.
2. Mr. Kunkel's property will be crossed by the Dakota Access Pipeline Project, and he is concerned about impacts to his land. Mr. Kunkel has not yet been able to reach an agreement with Dakota Access regarding an easement on his property, and feels it is necessary to protect his interests by ensuring that he is represented in these proceedings.



3. Petitioners have a direct and substantial interest in these proceedings, as well as legal property rights which may be substantially affected by the ND Public Service Commission's findings and conclusions in this matter. Petitioners are intimately familiar with the land they own and rent, and can provide the PSC with specific information related to its routing determination in this proceeding, with respect to their individual lands.
4. Petitioners are not adequately represented by existing parties, and Petitioners' intervention would not unduly broaden the issues or delay the proceedings, particularly given the early nature of the proceedings.
5. Petitioners are not necessarily in support of or opposed to the relief sought by the applicant in this proceeding, but intend to oppose such relief if it allows Dakota Access to cross the lands they own and rent in a manner that will cause unnecessary or unreasonable damage to the land and to their farming operations.

Dated this 14<sup>th</sup> day of May, 2015.

**BAUMSTARK BRAATEN LAW PARTNERS**

/s/ Derrick Braaten  
Derrick Braaten (ND 06394)  
109 North 4th St., Suite 100  
Bismarck, ND 58501-4003  
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**TARLOW AND STONECIPHER, PLLC**

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mkelly@lawmt.com

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Case No. PU-I 4-842

**AFFIDAVIT OF RUSSELL J. KUNKEL**

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STATE OF NORTH DAKOTA )  
)ss.  
COUNTY OF MORTON )

Russell J. Kunkel, individually, being duly sworn, states under oath as follows:

1. I live at 4515 County Road 85, New Salem, ND 58563.
2. I have received documents from Dakota Access, LLC and offers for an easement over my land for the Dakota Access Pipeline Project, and have also received repeated requests for survey permission on my property.
3. My property will be crossed by the Dakota Access Pipeline Project, and I am concerned about impacts to my land. I have not yet been able to reach an agreement with Dakota Access regarding an easement on my property, and feel it is necessary to protect my interests by ensuring that they are represented in these proceedings.

Dated this 21st day of April, 2015.

Russell Kunkel

Russell Kunkel

STATE OF NORTH DAKOTA     )  
  )ss.  
COUNTY OF MORTON         )

On this 21st day of April, 2015, before me personally appeared Russell Kunkel, individually, and known to me to be the same person who is described in and who executed the within document, and acknowledged to me that he executed the same.

Sherry Doll

Notary Public

